

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, AUGUST 23, 2005**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Larry Hudkins, Chair  
Deb Schorr, Vice Chair  
Bernie Heier  
Bob Workman

Commissioners Absent: Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 16, 2005 and the minutes of the public hearing held on Tuesday, August 16, 2005 at 7 p.m. regarding the Lancaster County Proposed Budget for Fiscal Year 2005-2006..**

**MOTION:** Workman moved and Schorr seconded approval of the minutes of the Board of Commissioners meeting and the minutes of the public hearing regarding the Lancaster County Proposed Budget for Fiscal Year 2005-2006 held on August 16, 2005. Schorr, Workman and Hudkins voted aye. Heier abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

**A. Oath of Office - Travis Schroer, Deputy County Sheriff**

Bill Jarrett, Chief Deputy County Sheriff, introduced Travis Schroer, Deputy Sheriff, to the County Board and the public.

Schroer stated he completed his bachelor's degree in the spring, 2005 and lives on a small acreage near Hallam. Schroer also introduced his family to the County Board.

2) **SPECIAL PRESENTATIONS CONTINUED:**

Chief Deputy Jarrett explained the process for becoming a Deputy Sheriff which includes a written test, an interview by a three board panel, physical agility course, psychological testing, health assessment with a physician, testing at the Law Enforcement Center at Grand Island and an interview with the Sheriff and Chief Deputy Sheriff.

The Clerk administered the oath of office to Schroer.

3) **CLAIMS: Approval of all claims processed through Tuesday, August 23, 2005.**

**MOTION:** Workman moved and Heier seconded approval of all claims processed through August 23, 2005. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

**A. A request from the Nebraska State Board of Agriculture d/b/a Nebraska State Fair for an addition to licensed premise of the Blue Oasis Building.**

The Chair opened the public hearing.

The Clerk administered the oath to Richard Bjorklund, Executive Director of the Nebraska State Fair.

Bjorklund stated the Blue Oasis Building is located between the Kiwanis and the ticket office. He explained that the building has been sublet from time to time, however, they have created a public, private partnership with a local restaurateur and State Fair Park for its operation.

Schorr asked if lottery proceeds would be used for the addition.

Bjorklund stated the expenses are internal to the fair operations.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

4) **PUBLIC HEARINGS CONTINUED:**

**MOTION:** Heier moved and Workman seconded to direct the County Attorney's Office to prepare a resolution granting the request from the Nebraska State Board of Agriculture d/b/a Nebraska State Fair for an addition to licensed premise of the Blue Oasis Building. Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

**B. County Special Permit 04056, Nature Meadows Community Unit Plan, requested by ESP on behalf of Craig Gana, to develop four residential acreage units, with associated waiver requests, on property generally located northwest of the intersection of South 120<sup>th</sup> Street and Stagecoach Road in Lancaster County, Nebraska. (See New Business Item 6A for correlating resolution.)**

**C. County Preliminary Plat 04026, Nature Meadows, requested by ESP on behalf of Craig Gana, to develop four residential acreage lots, with associated waiver requests, on property generally located northwest of the intersection of South 120<sup>th</sup> Street and Stagecoach Road in Lancaster County, Nebraska. (See New Business Item 6B for correlating resolution.)**

It was the consensus of the County Board to hear Public Hearing Items 4B and 4C together.

The Chair opened the hearings.

The Clerk administered the oath to Kent Seacrest, attorney representing DGD, L.L.C., and Matthew Langston, with ESP, Inc..

Seacrest presented a brief overview of the Special Permit and Preliminary Plat indicating both the Planning Department and Planning Commission support the proposals.

In response to a question asked by Heier regarding a conservation easement, Seacrest stated there is a conservation easement in which they agreed that they would not build in the flood plain.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

5) **OLD BUSINESS:**

- A. Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Alternatives with Accountability Project. The County will receive \$71,360 in federal funds and there is a County required match of \$401,811, cash or in kind services, for a total of \$473,171. Term of the grant award is September 1, 2005 to August 31, 2006. (C-05-0427)**

**MOTION:** Heier moved and Workman seconded approval of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Alternatives with Accountability Project. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS:**

The Chair asked the Clerk to read New Business Items 6A and 6B together.

- A. A resolution in the matter of County Special Permit 04056, Nature Meadows Community Unit Plan, requested by Matt Langston of ESP on behalf of Craig Gana of DGD, L.L.C., to create four residential acreage units, on property generally located northwest of the intersection of South 120<sup>th</sup> Street and Stagecoach Road in Lancaster County, Nebraska. (R-05-0100)**
- B. A resolution in the matter of County Preliminary Plat 04026, Nature Meadows, requested by Matt Langston of ESP on behalf of Craig Gana of DGD, L.L.C., for four residential acreage lots on property generally located northwest of the intersection of South 120<sup>th</sup> Street and Stagecoach Road in Lancaster County, Nebraska. (R-05-0101)**

**MOTION:** Workman moved and Schorr seconded approval of Resolution 05-0100 in the matter of County Special Permit 04056, Nature Meadows Community Unit Plan, and approval of Resolution 05-0101 in the matter of County Preliminary Plat 04026, Nature Meadows. Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**C. A resolution authorizing the installation of various traffic signs at South 162<sup>nd</sup> Street and Old Cheney Road and to also install a "School Bus Stop Ahead" sign on Bluff Road in advance of 17700 Bluff Road. (R-05-0101)**

**MOTION:** Schorr moved and Workman seconded approval of Resolution 05-0101 authorizing the installation of various traffic signs at South 162<sup>nd</sup> Street and Old Cheney Road and to also install a "School Bus Stop Ahead" sign on Bluff Road in advance of 17700 Bluff Road. Heier, Schorr, Workman and Hudkins voted aye. Motion carried.

**D. A resolution in the matter of adopting the Fiscal Year 2005-2006 Lancaster County Budget. (R-05-0103)**

**MOTION:** Heier moved and Schorr seconded approval of Resolution 05-0103 in the matter of adopting the Fiscal Year 2005-2006 Lancaster County Budget. Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

**E. An application for a Special Designated License from Ken's Liquor, Inc. to provide liquor beverage services at a wedding reception on Friday, September 16, 2005 from 4 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams in Lancaster County, Nebraska.**

**MOTION:** Schorr moved and Heier seconded approval of an application for a Special Designated License from Ken's Liquor, Inc. to provide liquor beverage services at a wedding reception on Friday, September 16, 2005 from 4 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams in Lancaster County, Nebraska. Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

**F. An agreement with the Hispanic Center for professional services in the area of community-based care coordination using the wraparound process for youth, ages 10 to 18 years old, who have severe emotional disorders and to begin the development of a discharge plan(s) for such youth. Term of the agreement is July 1, 2005 through August 31, 2005. The County will pay \$16,530 for such services. (C-05-0428)**

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Schorr moved and Workman seconded approval of an agreement with the Hispanic Center for professional services in the area of community-based care coordination using the wraparound process for youth, ages 10 to 18 years old, who have severe emotional disorders and to begin the development of a discharge plan(s) for such youth. Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

**G. An agreement with the Board of Regents of the University of Nebraska and the Lincoln Housing Authority for the establishment and operation of the Nutrition Education Program (NEP) in order to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. Term of the agreement is September 1, 2005 to August 31, 2006. The County will pay \$16,966 for the services, which will be provided by the University. The Housing Authority will also pay \$10,519 for the services, combined with \$21,715 from the United States Department of Agriculture (USDA) Food Stamp Nutrition Education grant for a total of \$49,200. (C-05-0435)**

**MOTION:** Heier moved and Workman seconded approval of an agreement with the Board of Regents of the University of Nebraska and the Lincoln Housing Authority for the establishment and operation of the Nutrition Education Program (NEP) in order to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

**H. An amendment to an agreement with UNICO Group, Inc. to extend the agreement for three additional one year periods, beginning September 1, 2005 and ending August 31, 2008. Total compensation for the first renewal year will be \$27,295 and no more than a three percent increase for the subsequent years. The original agreement is for the provision of insurance brokerage services for Lancaster County Property and Casualty. (C-05-0433)**

**MOTION:** Heier moved and Schorr seconded approval of an amendment to an agreement with UNICO Group, Inc. to extend the agreement for three additional one year periods, beginning September 1, 2005 and ending August 31, 2008. Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**I. An amendment to a grant contract with Lincoln Council on Alcoholism and Drugs, Inc. (LCAD), under County Contract C-05-0140, to provide for the project management of the Federal Drug Free Communities Grant. The duties of LCAD have been amended to include a Screening and Brief Intervention (SBI) Program and a follow-up survey. As a result, the parties wish to amend the amount of the grant contract from \$62,505 to \$69,005. (C-05-0436)**

**MOTION:** Workman moved and Heier seconded approval of an amendment to a grant contract with Lincoln Council on Alcoholism and Drugs, Inc. (LCAD), under County Contract C-05-0140, to provide for the project management of the Federal Drug Free Communities Grant. Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

**J. Recommendation from the Purchasing Agent and the Lancaster County Sheriff to award an order from a State of Nebraska contract (Contract #CA-6097A) to Husker Auto Group, in the amount of \$22,388. The award is for one, 2005 Chevrolet Astro, rear wheel drive van with options as specified on the requisition form. (B-05-0030)**

**MOTION:** Workman moved and Heier seconded to award an order from a State of Nebraska contract (Contract #CA-6097A) to Husker Auto Group, in the amount of \$22,388, for one, 2005 Chevrolet Astro, rear wheel drive van with options as specified on the requisition form. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

**K. A grant application on behalf of the Lancaster County Corrections Department for the 2005 'Keep Lincoln and Lancaster County Beautiful Litter Clean Up Program'. The County will receive \$3,000 for the picking up litter along County roads.**

**MOTION:** Heier moved and Workman seconded approval of a grant application on behalf of the Lancaster County Corrections Department for the 2005 'Keep Lincoln and Lancaster County Beautiful Litter Clean Up Program'. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**L. A request from Big Red Keno to temporarily relocate one keno terminal at State Fair Park from the grandstand to the Margaritaville Restaurant during the Nebraska State Fair which begins August 27, 2005 and runs through September 5, 2005.**

John Hewitt, Big Red Keno, gave a brief explanation regarding the request.

**MOTION:** Heier moved and Workman seconded approval of a request from Big Red Keno to temporarily relocate one keno terminal at State Fair Park from the grandstand to the Margaritaville Restaurant during the Nebraska State Fair which begins August 27, 2005 and runs through September 5, 2005.

Schorr asked if they would need approval by the County Board to move the terminal back.

Kerry Eagan, Chief Administrative Officer, stated because the request was for a specified period of time it would automatically revert back to the original location at the Grandstand.

Both the maker of the motion and the seconder agreed to include that the terminal would automatically revert back to its original location at the Grandstand.

**CLARIFICATION OF MOTION:** Approval of a request from Big Red Keno to temporarily relocate one keno terminal at State Fair Park from the grandstand to the Margaritaville Restaurant during the Nebraska State Fair which begins August 27, 2005 and runs through September 5, 2005 and that the terminal will automatically revert back to its original location at the Grandstand.

**ROLL CALL:** Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

- 1. County Engineer's Quarterly Report for April, May and June, 2005.**
- 2. County Engineer's Quarterly Report for the Geographic Information System (GIS) Division for April, May and June, 2005.**
- 3. Weed Control Authority's Monthly Report for July, 2005.**
- 4. Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for July, 2005.**

**B. Setting of public hearings for Tuesday, September 6, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:**

**1. Amending the Lancaster County Air Pollution Resolution of 1993 to increase the fee for open burning permits from \$50 to \$100. (Amendment is available in the County Clerk's Office for inspection.)**

**2. Amending Article 1, Section 6 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards to increase the fee associated with inspecting asbestos removal from \$50 to \$100. (Amendment is available in the County Clerk's Office for inspection.)**

**3. Amending Section XIII of County Resolution 02-030, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County. (Amendment is available in the County Clerk's Office for inspection.)**

**C. Setting of a public hearing for Tuesday, September 27, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a resolution for the creation of a Joint Public Agency. The Joint Public Agency is being created to provide for the design, acquisition of land, and construction of improvements for the Rural to Urban Roadway Transition Streets Program (RUTS) and the design and acquisition of land for the East Beltway. The public agencies initially participating in the Joint Public Agency are Lancaster County and the City of Lincoln.**

7) **CONSENT ITEMS CONTINUED:**

- D. Resetting of a public hearing from August 30, 2005 to Tuesday, September 6, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the issuance of bonds by Hospital Authority Number 1 of Lancaster County, Nebraska, in an amount not to exceed \$7,000,000 (Presbyterian Welfare Foundation, Inc. Project).**
- E. A request from William H. Coleman, with the Lancaster County Sheriff's Office, to voluntarily participate in the County's Retirement Plan, having met the requirements.**
- F. A quitclaim deed from Lancaster County, as Grantor, and Barbara J. Bais and Gregory R. Pettibone, as Grantees, for property legally described as a part of the Northeast 1/4 of Section 27, Township 12 North, Range 8 East of the 6th P.M..**
- G. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and Barbara J. Bais and Gregory R. Pettibone, in the amount of \$1,830, at 17201 North 162nd Street; Project C-55-A-401(5). (C-05-0437)**

**MOTION:** Workman moved and Schorr seconded approval of the Consent Items. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

(Heier exited the hearing room at 2:14 p.m..)

8) **OTHER BUSINESS:**

The Chair extended the County Board's condolences to the family of Ethan Jensen, an employee with the Sheriff's Office, who passed away on Sunday, August 21, 2005.

9) **ADJOURNMENT:**

**MOTION:** Schorr moved and Workman seconded adjournment of the Board of Commissioners meeting at 2:15 p.m.. Workman, Schorr and Hudkins voted aye. Heier was absent from voting. Motion carried.

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Patricia Owen  
Chief Deputy County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, AUGUST 23, 2005  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Larry Hudkins, Chair  
Deb Schorr, Vice Chair  
Bernie Heier  
Bob Workman

Commissioners Absent: Ray Stevens

Others Present: Norm Agena, County Assessor/Register of Deeds  
Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:15 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 16, 2005.**

(Heier re-entered the hearing room at 2:15 p.m..)

**MOTION:** Workman moved and Schorr seconded approval of the minutes of the Board of Equalization meeting dated August 16, 2005. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 30 additions and deductions to the tax assessment rolls per Exhibit "A".**

**MOTION:** Schorr moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Angelic Temple Church of God in Christ  
Grace Lutheran Church  
Lincoln Action Program, Inc.  
Lincoln Christian School  
St. Peter's Catholic Church of Lincoln**

**MOTION:** Schorr moved and Workman seconded approval of the motor vehicle tax exemptions. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

4) **ADJOURNMENT:**

**MOTION:** Schorr moved and Workman seconded adjournment of the Board of Equalization meeting at 2:17 p.m.. Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

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Patricia Owen  
Chief Deputy County Clerk